



CITY OF SELAH

115 West Naches Ave
Selah, WA 98942

P: 509-698-7328
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July 30, 2021

Press Release by Mayor Sherry Raymond

Since I've been Mayor, the City of Selah typically has not commented about employment disputes or any type of ongoing investigations – just as other municipalities typically do not do so. But complete silence is not always the best approach, particularly when partial or one-sided information has been or will be publicly disseminated. Such a situation currently exists here in Selah. Accordingly, I've had this Press Release drafted in order to provide the public with some basic contextual information while still respecting the involved parties' rights of substantive confidentiality and investigation integrity. My aim is to dispel and prevent rumors or misconceptions without saying too much or being unfair to anyone.

Donald C. Wayman served as City Administrator for nearly six years. On May 25, 2021, I terminated Mr. Wayman's employment. Today, the City is disclosing two letters (and one related fax transmittal) that have been served on the City by Mr. Wayman's personal attorney Bill Pickett. These letters advance allegations about Mr. Wayman's termination and about our City police officers. On behalf of the City, I feel compelled to respond – at least in summary form – to both set of allegations.

Mr. Wayman's employment was not terminated for any illegal or immoral reason, and certainly not as "retaliation" due to his supposed status as a "whistleblower". While it is true that he had been working on a workplace investigation since May 14th (which I will address further below), I terminated his employment based his attitude, actions and performance over time. I and other City officials had recurring, often episodic meetings about whether a change would be beneficial. I deliberated on that question over months and even years, and I ultimately decided that a change would be beneficial. The recent workplace investigation was not why I made the decision. I made the decision, as I say above, based on the totality of Mr. Wayman's tenure.

Mr. Wayman's contract requires the City to participate in mediation and, if necessary, binding arbitration thereafter. Under the law, those events will be confidential. Accordingly, I am not planning to publicly say anything further about the particulars of why Mr. Wayman's employment was terminated. Doing so would not be appropriate. Instead, the particulars will be addressed during mediation and/or arbitration.

This is an ongoing investigation regarding text messages sent and received by some of the City's police officers on their privately-owned cellphones (as distinct from any City-issued cellphones or devices). Work on that investigation began on May 14th and will continue for several more weeks. The initial plan was to have the investigative interviews conducted by an external agency but it was later decided – in consultation with the City's insurance provider – that the interviews should be conducted internally by Police Chief Daniel V. Christman. That is what is occurring.



Selah has a quality police force. I am confident our Chief is handling things properly. I am also confident that our officers have been cooperating and will continue to do so.

No findings or conclusions yet exist. No officer has been, or is expected to be, placed on involuntary leave. As I say above, this is about text messages exchanged on privately-owned cellphones. That is the general context. The specific details must remain confidential while the investigation is ongoing and still might not be disclosable or fully disclosable after the investigation is concluded. I ask the public to trust the process and to be patient. Please do not be swayed by any rumors. Please understand that the City must proceed one step at a time, in compliance with the law.

Mr. Wayman's employment disputes will be resolved, if necessary by a neutral arbitrator. The text-message investigation will be concluded and proper decisions will be made, by the Chief and/or myself. Selah will continue to move forward and to implement positive changes.

Respectfully,



Sherry Raymond
Mayor
City of Selah



**THE
PICKETT
LAW FIRM**
EST. 2002

WILLIAM D. PICKETT P: (509) 972-1825 F: (509) 972-1826 E: bill@wdpickett-law.com
517 Temple Court Way, Suite 100 Yakima, WA 98905

FAX TRANSMITTAL

DATE: June 14, 2021

TO: City of Selah
115 West Naches Ave
Selah, WA 98942
Attn: Mayor Sherry Raymond; Selah City Council; City Attorney D.R. Rob Case

FROM: The Pickett Law Firm

FAXING TO #: 509-698-7338

TELEPHONE NO.: 509-698-7328

TOTAL PAGES: 3 (including cover sheet)

ORIGINAL [XX] WILL BE FORWARDED **[] WILL NOT BE FORWARDED**

IF DIFFICULTIES OCCUR PLEASE CONTACT:

The Pickett Law Firm
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sarah@wdpickett-law.com

MESSAGES/COMMENTS:

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WDPICKETT-LAW.COM



**THE
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EST. 2002

WILLIAM D. PICKETT | P: (509) 722-1825 | F: (509) 722-1826 | bill@wdpickett-law.com
417 Triple Crown Way, Suite 100, Colima, WA 98904

June 14, 2021

City of Selah
115 West Naches Avenue
Selah, Washington 98942
Attn: Mayor Sherry Raymond
Selah City Council
City Attorney D.R. Rob Case

Re: Our Client- Donald C. Wayman

**NOTICE OF CHARGE OF RETALIATORY ACTION TO GOVERNING
BODY PURSUANT TO RCW 42.41.040(2); NOTICE OF RETALIATION
PURSUANT TO RCW 49.60.210; & DEMAND FOR MEDIATION**

Dear Mayor Raymond, Selah City Council Members, and attorney Case:

Please note that the Pickett Law Firm has been retained to represent former Selah City Administrator, Donald C. Wayman.

Specifically pursuant to RCW 42.41 and RCW 49.60.210, please be advised that Mr. Wayman was subjected to unlawful Whistleblower Retaliation, as well as, Discriminatory Retaliation as a direct result of his participation in an investigation of the following alleged misconduct by Selah Police Officers:

(i) sexual harassment, (ii) hostile work environment, (iii) intimidation of coworkers, (iv) racist or otherwise unethical prejudices toward members of the Selah community, (v) acts of insubordination, and (vi) failed supervision of Selah police employees.

Pursuant to the statutory authority noted above, be further advised that the relief requested includes: all monetary compensation and benefits due, had the above-referenced retaliation not occurred, including costs, attorney fees, and all general damages permissible under Washington law.

Additionally, pursuant to Section 9 of the Employment Agreement between the City of Selah, Washington and Donald Wayman, executed on the 27th day of October, 2015, mediation is hereby demanded in a good faith attempt to resolve the controversies arising out of the unlawful termination of Mr. Wayman's employment.

I look forward to hearing from you and/or your attorney.

Sincerely,

A handwritten signature in cursive script, appearing to read "William D. Pickett".

William D. Pickett

cc: client file



**THE
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917 Triple Crown Way, Suite 100 Yakima, WA 98908

July 29, 2021

City of Selah
115 West Naches Avenue
Selah, Washington 98942
Attn: Mayor Sherry Raymond
Selah City Council
City Attorney D.R. Rob Case

Re: Our Client- Donald C. Wayman
REQUEST FOR HEARING PURSUANT TO RCW 42.41.040(4)

Dear Mayor Raymond, Selah City Council Members, and attorney Case:

On June 14, 2021 you were informed by our office concerning charges of retaliation by the City of Selah, against our client Donald Wayman. The charges specifically include violation of RCW 42.41 and RCW 49.60.210.

Specifically with regard to the statutory Whistleblower Retaliation, please consider this correspondence as our clients request for a hearing pursuant to RCW 42.41(4).

Sincerely,

William D. Pickett

cc: client file
Mike Bolasina- Summit Law Group